

Law Offices
MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, New York 10178
(212) 309-6000
Attorneys for Defendants American Express Retirement Plan,
American Express Company, American Express Company
Employee Benefits Administration Committee

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
Paula Kritzman, Individually and on behalf
of all others similarly situated,

Plaintiff,

v.

Civil Action No. 06-CV-0233

AMERICAN EXPRESS RETIREMENT
PLAN, AMERICAN EXPRESS COMPANY,
AMERICAN EXPRESS COMPANY EMPLOYEE
BENEFITS ADMINISTRATION COMMITTEE,
JOHN DOES 1-100,

Defendants.
-----X

FILED
U.S. DISTRICT COURT
2006 JUN 26 PM 4:37
S.D. OF N.Y.

NOTICE OF MOTION TO ADMIT COUNSEL PRO HAC VICE

PLEASE TAKE NOTICE that upon the annexed Affidavit of Michael L. Banks in support of this Motion and the Certificate of Good Standing annexed thereto, we will move this Court at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York for an Order allowing the admission of Michael L. Banks, a Member of the firm of MORGAN, LEWIS & BOCKIUS LLP and a member in good standing of the Bar in the state of Pennsylvania, as attorney *pro hac vice* to argue or try these proceedings in whole or in part.

Dated: New York, New York
June 26, 2006

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Tamara Garnes Mata (TM-8051)

101 Park Avenue
New York, New York 10178
(212) 309-6000

*Attorneys for Defendants
American Express Retirement Plan, American
Express Company, American Express Company
Employee Benefits Administration Committee*

To: Curtis V. Trinko, Esq.
LAW OFFICES OF CURTIS V. TRINKO, LLP
16 West 46th Street
7th Floor
New York, NY 10036
Attorneys for Plaintiff

Richard S. Schiffrin, Esq.
Joseph H. Meltzer, Esq.
Edward W. Ciolko, Esq.
Joseph A. Weeden, Esq.
SCHIFFRIN & BARROWAY, LLP
280 King of Prussia Road
Radnor, PA 19087
Attorneys for Plaintiff

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Paula Kritzman, Individually and on behalf	:
of all others similarly situated,	:
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Plaintiff,	:
	:
v.	:
	:
AMERICAN EXPRESS RETIREMENT	:
PLAN, AMERICAN EXPRESS COMPANY,	:
AMERICAN EXPRESS COMPANY EMPLOYEE	:
BENEFITS ADMINISTRATION COMMITTEE,	:
JOHN DOES 1-100,	:
	:
Defendants.	:
-----X	

Civil Action No. 06-CV-0233

MOTION FOR LEAVE OF COURT TO APPEAR PRO HAC VICE

Tamara Mata, Esquire, an Associate of the firm of Morgan, Lewis & Bockius LLP, 101 Park Avenue, New York, New York 10178, respectfully represents as follows:

1. The undersigned is a member in good standing of the bar of this Court. Pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, the undersigned respectfully moves the admission *pro hac vice* in this action of Michael L. Banks, Esquire, of Morgan, Lewis & Bockius LLP, 1701 Market Street, Philadelphia, Pennsylvania, 19103.
2. Mr. Banks is a member in good standing of the Bar in the state of Pennsylvania.

3. Mr. Banks intends to represent Defendants American Express Retirement Plan, American Express Company and American Express Company Employee Benefits Administration Committee in the above-captioned proceedings. Based on the affidavit annexed hereto, Mr. Banks certifies that he is eligible for admission to this Court and is admitted to practice and is in good standing in the jurisdiction shown in paragraph 2 above. Mr. Banks further certifies that there are no pending disciplinary proceedings pending against him in any State or Federal court.

WHEREFORE, it is respectfully requested that Mr. Banks be admitted to practice before this Court *pro hac vice* as counsel for all purposes in these proceedings.

Dated: New York, New York
June 26, 2006

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Tamara Garnes Mata (TM-8051)

101 Park Avenue
New York, New York 10178
(212) 309-6000

*Attorneys for Defendants
American Express Retirement Plan, American
Express Company, American Express Company
Employee Benefits Administration Committee*

Law Offices

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Paula Kritzman, Individually and on behalf :
of all others similarly situated, :

Plaintiff, :

v. :

Civil Action No. 06-CV-0233

AMERICAN EXPRESS RETIREMENT :
PLAN, AMERICAN EXPRESS COMPANY, :
AMERICAN EXPRESS COMPANY EMPLOYEE :
BENEFITS ADMINISTRATION COMMITTEE, :
JOHN DOES 1-100, :

Defendants. :
-----X

**AFFIDAVIT OF MICHAEL L. BANKS IN SUPPORT OF MOTION
TO ADMIT COUNSEL PRO HAC VICE**

COMMONWEALTH OF PENNSYLVANIA)
):
COUNTY OF PHILADELPHIA)

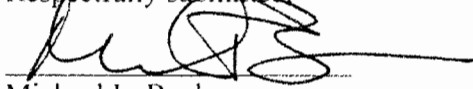
MICHAEL L. BANKS, being duly sworn, hereby deposes and says as follows:

1. I am an associate with the law firm of Morgan, Lewis & Bockius LLP.
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above-captioned proceedings.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar in the state of Pennsylvania.

4. There are no pending disciplinary proceedings against me in any State or Federal court.

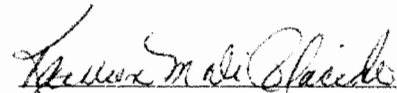
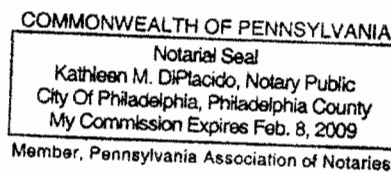
5. Wherefore, your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in these proceedings.

Respectfully submitted,



Michael L. Banks

Sworn to before me this
26th day of June, 2006.


Notary Public



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Michael L. Banks, Esq.

DATE OF ADMISSION

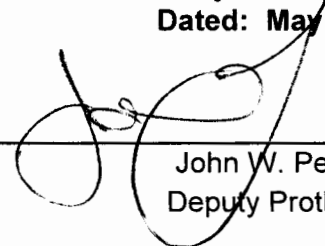
November 6, 1981

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: May 26, 2006



John W. Person Jr.
Deputy Prothonotary

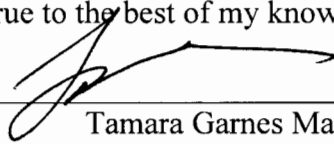
AFFIRMATION OF SERVICE

I hereby affirm that a copy of the foregoing Notice of Motion to Admit Counsel *Pro Hac Vice*, Motion for Leave of Court to Appear *Pro Hac Vice*, the Affidavit of Michael L. Banks, and a Proposed Order were served by regular mail on June 26, 2006 on:

Curtis V. Trinko, Esq.
LAW OFFICES OF CURTIS V. TRINKO, LLP
16 West 46th Street
7th Floor
New York, NY 10036
Attorneys for Plaintiff

Richard S. Schiffrin, Esq.
Joseph H. Meltzer, Esq.
Edward W. Ciolko, Esq.
Joseph A. Weeden, Esq.
SCHIFFRIN & BARROWAY, LLP
280 King of Prussia Road
Radnor, PA 19087
Attorneys for Plaintiff

I affirm the foregoing statements are true to the best of my knowledge.



Tamara Garnes Mata